

ENTERED

February 23, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**JEREMIAS COCA on Behalf of Himself
and All Others Similarly Situated,**

Plaintiff,

CIVIL ACTION NO. 4:14-CV-02122

v.

**BIG BANG ENTERPRISES, INC., and
THE RETAIL OUTSOURCE,**

Defendants.

ORDER

On this day came on to be considered the Parties' Joint Motion to Approve Confidential Settlement and to Dismiss Case with Prejudice. The Court hereby approves the settlement and grants the Parties' joint motion.

On April 14, 2015, this Court certified this case as a collective action. (Dkt. No. 51). Thereafter, 109 Opt-In Plaintiffs joined this lawsuit by filing a Notice of Consent with this Court. Five opt-in claimants later withdrew their consent forms after learning that their claims were time-barred. (Dkt. No. 83). Each Opt-In Plaintiff authorized Plaintiff Jeremias Coca, as the Named Plaintiff, to make decisions concerning the litigation on the Opt-In Plaintiff's behalf, and agreed to be bound by the Named Plaintiff's settlement decisions. (*See, e.g.*, Dkt. No. 61-1).

The Parties have notified the Court that they have agreed to a Confidential Settlement Agreement and Release; that the Named Plaintiff has approved the settlement on behalf of himself and the Opt-In Plaintiffs; that Class Counsel and the Named Plaintiff believe the terms of the settlement are fair, reasonable, and in the best interests of the Opt-In Plaintiffs; and that each of the Opt-In Plaintiffs will receive more than 100% of the value of their claim even after attorneys' fees

and expenses are deducted. In exchange for the consideration given to Plaintiff and the Opt-In Plaintiffs, Plaintiff and the Opt-In Plaintiffs release Defendant Big Bang Enterprises, Inc. ("Defendant"), any current or former subsidiary, parent company, affiliated entity, related entity, successor, assign, or division of Defendant, any of its and their current or former officers, directors, trustees, agents, employees, shareholders, representatives, advisors, insurers, attorneys, or employee benefit or welfare program or plan, from any and all claims that were or could have been alleged in the Lawsuit arising from or related to the Class Members' alleged entitlement to unpaid wages, overtime, damages, benefits, penalties, attorneys' fees, or costs under the Fair Labor Standards Act. This release includes any claims arising under the Fair Labor Standards Act and all other local, state, or federal laws relating to wage and hour compensation, including wage and hour claims under the common law, statutes, regulations, ordinances, or equitable principles.

The Court finds that the settlement is fair and reasonable. The Court gives final approval to and orders that payment be made to Plaintiff and the Opt-In Plaintiffs in accordance with the terms of the Agreement. It is further ordered that this lawsuit is dismissed with prejudice to refiling same. All costs and attorneys' fees are taxed against the party incurring same. This is a final order.

Without affecting the finality of this Order in any way, this Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation and enforcement of this Order.

Signed this 23rd day of Feb, 2016.


United States District Judge